

1 AN ACT in relation to public employee benefits.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Illinois Pension Code is amended by
5 changing Sections 9-121.6, 9-121.15, 9-134, 9-134.3, 9-146.1,
6 9-163, 9-179.3, 9-185, 9-186, 9-187, 9-219, and 14-105.7 and
7 adding Sections 9-121.14, 9-121.16, and 9-134.4 as follows:

8 (40 ILCS 5/9-121.6) (from Ch. 108 1/2, par. 9-121.6)
9 Sec. 9-121.6. Alternative annuity for county officers.

10 (a) Any county officer elected by vote of the people may
11 elect to establish alternative credits for an alternative
12 annuity by electing in writing to make additional optional
13 contributions in accordance with this Section and procedures
14 established by the board. Such elected county officer may
15 discontinue making the additional optional contributions by
16 notifying the Fund in writing in accordance with this Section
17 and procedures established by the board.

18 Additional optional contributions for the alternative
19 annuity shall be as follows:

20 (1) For service after the option is elected, an
21 additional contribution of 3% of salary shall be contributed
22 to the Fund on the same basis and under the same conditions
23 as contributions required under Sections 9-170 and 9-176.

24 (2) For service before the option is elected, an
25 additional contribution of 3% of the salary for the
26 applicable period of service, plus interest at the effective
27 rate from the date of service to the date of payment. All
28 payments for past service must be paid in full before credit
29 is given. No additional optional contributions may be made
30 for any period of service for which credit has been
31 previously forfeited by acceptance of a refund, unless the

1 refund is repaid in full with interest at the effective rate
2 from the date of refund to the date of repayment.

3 (b) In lieu of the retirement annuity otherwise payable
4 under this Article, any county officer elected by vote of the
5 people who ~~(1)~~ has elected to participate in the Fund and
6 make additional optional contributions in accordance with
7 this Section, and withdraws from service either (1) before
8 November 30, 2000 having ~~(2)~~--has attained age 60 with at
9 least 10 years of service credit, or has-attained age 65 with
10 at least 8 years of service credit or (2) on or after
11 November 30, 2000 having attained age 55 with at least 10
12 years of service credit or age 60 with at least 8 years of
13 service credit, may elect to have his retirement annuity
14 computed as follows: 3% of the participant's salary at the
15 time of termination of service for each of the first 8 years
16 of service credit, plus 4% of such salary for each of the
17 next 4 years of service credit, plus 5% of such salary for
18 each year of service credit in excess of 12 years, subject to
19 a maximum of 80% of such salary. To the extent such elected
20 county officer has made additional optional contributions
21 with respect to only a portion of his years of service
22 credit, his retirement annuity will first be determined in
23 accordance with this Section to the extent such additional
24 optional contributions were made, and then in accordance with
25 the remaining Sections of this Article to the extent of years
26 of service credit with respect to which additional optional
27 contributions were not made.

28 (c) In lieu of the disability benefits otherwise payable
29 under this Article, any county officer elected by vote of the
30 people who (1) has elected to participate in the Fund, and
31 (2) has become permanently disabled and as a consequence is
32 unable to perform the duties of his office, and (3) was
33 making optional contributions in accordance with this Section
34 at the time the disability was incurred, may elect to receive

1 a disability annuity calculated in accordance with the
 2 formula in subsection (b). For the purposes of this
 3 subsection, such elected county officer shall be considered
 4 permanently disabled only if: (i) disability occurs while in
 5 service as an elected county officer and is of such a nature
 6 as to prevent him from reasonably performing the duties of
 7 his office at the time; and (ii) the board has received a
 8 written certification by at least 2 licensed physicians
 9 appointed by it stating that such officer is disabled and
 10 that the disability is likely to be permanent.

11 (d) Refunds of additional optional contributions shall
 12 be made on the same basis and under the same conditions as
 13 provided under Section 9-164, 9-166 and 9-167. Interest shall
 14 be credited at the effective rate on the same basis and under
 15 the same conditions as for other contributions. Optional
 16 contributions shall be accounted for in a separate Elected
 17 County Officer Optional Contribution Reserve. Optional
 18 contributions under this Section shall be included in the
 19 amount of employee contributions used to compute the tax levy
 20 under Section 9-169.

21 (e) The effective date of this plan of optional
 22 alternative benefits and contributions shall be January 1,
 23 1988, or the date upon which approval is received from the
 24 U.S. Internal Revenue Service, whichever is later. The plan
 25 of optional alternative benefits and contributions shall not
 26 be available to any former county officer or employee
 27 receiving an annuity from the Fund on the effective date of
 28 the plan, unless he re-enters service as an elected county
 29 officer and renders at least 3 years of additional service
 30 after the date of re-entry.

31 (Source: P.A. 85-964.)

32 (40 ILCS 5/9-121.14 new)

33 Sec. 9-121.14. Benefit processors. An employee with at

1 least 5 years of creditable service under this Article may
 2 purchase service credit for annuity purposes for up to 5
 3 years of time spent working as a benefits processor for a
 4 firm under contract with the Fund, by paying to the Fund
 5 before July 1, 2002 an amount equal to 8.5% of the salary
 6 received for that work or, if that salary is not
 7 determinable, 8.5% of the employee's annual salary rate on
 8 the first day of service in the Fund for each year of service
 9 credit established under this Section. The employee may not
 10 make optional contributions under Section 9-121.6 or 9-179.3
 11 for periods of credit established under this Section.

12 (40 ILCS 5/9-121.15)

13 Sec. 9-121.15. Transfer of credit from Article 14 system.
 14 A current or former An employee shall be entitled to service
 15 credit in the Fund for any creditable service transferred to
 16 this Fund from the State Employees' Retirement System under
 17 Section 14-105.7 of this Code. Credit under this Fund shall
 18 be granted upon receipt by the Fund of the amounts required
 19 to be transferred under Section 14-105.7; no additional
 20 contribution is necessary.

21 (Source: P.A. 90-511, eff. 8-22-97.)

22 (40 ILCS 5/9-121.16 new)

23 Sec. 9-121.16. Contractual service to the Retirement
 24 Board. A person who has rendered continuous contractual
 25 services (other than legal services) to the Retirement Board
 26 for a period of at least 5 years may establish creditable
 27 service in the Fund for up to 10 years of those services by
 28 making written application to the Board before July 1, 2002
 29 and paying to the Fund an amount to be determined by the
 30 Board, equal to the employee contributions that would have
 31 been required if those services had been performed as an
 32 employee.

1 For the purposes of calculating the required payment, the
 2 Board may determine the applicable salary equivalent based on
 3 the compensation received by the person for performing those
 4 contractual services. The salary equivalent calculated under
 5 this Section shall not be used for determining final average
 6 salary under Section 9-134 or any other provisions of this
 7 Code.

8 A person may not make optional contributions under
 9 Section 9-121.6 or 9-179.3 for periods of credit established
 10 under this Section.

11 (40 ILCS 5/9-134) (from Ch. 108 1/2, par. 9-134)

12 Sec. 9-134. Minimum annuity - Additional provisions.

13 (a) An employee who withdraws after July 1, 1957 at age
 14 60 or more with 20 or more years of service, for whom the
 15 amount of age and service and prior service annuity combined
 16 is less than the amount stated in this Section from the date
 17 of withdrawal, instead of all annuities otherwise provided in
 18 this Article, is entitled to receive an annuity for life of
 19 an amount equal to 1 2/3% for each year of service, of his
 20 highest average annual salary for any 5 consecutive years
 21 within the last 10 years of service immediately preceding the
 22 date of withdrawal; provided that in the case of any employee
 23 who withdraws on or after July 1, 1971, such employee age 60
 24 or over with 20 or more years of service, or who withdraws on
 25 or after January 1, 1982 and on or after attainment of age 65
 26 with 10 or more years of service, shall instead receive an
 27 annuity for life equal to 1.67% for each of the first 10
 28 years of service; 1.90% for each of the next 10 years of
 29 service; 2.10% for each year of service in excess of 20 but
 30 not exceeding 30; and 2.30% for each year of service in
 31 excess of 30, based on the highest average annual salary for
 32 any 4 consecutive years within the last 10 years of service
 33 immediately preceding the date of withdrawal.

1 An employee who withdraws after July 1, 1957, but prior
2 to January 1, 1988, with 20 or more years of service, before
3 age 60 is entitled to annuity, to begin not earlier than age
4 55, if under such age at withdrawal, as computed in the last
5 preceding paragraph, reduced 1/2 of 1% for each full month or
6 fractional part thereof that his attained age when annuity is
7 to begin is less than 60 to the end that the total reduction
8 at age 55 shall be 30%, except that an employee retiring at
9 age 55 or over but less than age 60, having at least 35 years
10 of service, shall not be subject to the reduction in his
11 retirement annuity because of retirement below age 60.

12 An employee who withdraws on or after January 1, 1988,
13 with 20 or more years of service and before age 60, is
14 entitled to annuity as computed above, to begin not earlier
15 than age 50 if under such age at withdrawal, reduced 1/2 of
16 1% for each full month or fractional part thereof that his
17 attained age when annuity is to begin is less than 60, to the
18 end that the total reduction at age 50 shall be 60%, except
19 that an employee retiring at age 50 or over but less than age
20 60, having at least 30 years of service, shall not be subject
21 to the reduction in retirement annuity because of retirement
22 below age 60.

23 An employee who withdraws on or after January 1, 1992 but
24 before January 1, 1993, at age 60 or over with 5 or more
25 years of service, may elect, in lieu of any other employee
26 annuity provided in this Section, to receive an annuity for
27 life equal to 2.20% for each of the first 20 years of
28 service, and 2.40% for each year of service in excess of 20,
29 based on the highest average annual salary for any 4
30 consecutive years within the last 10 years of service
31 immediately preceding the date of withdrawal. An employee
32 who withdraws on or after January 1, 1992, but before January
33 1, 1993, on or after attainment of age 55 but before
34 attainment of age 60 with 5 or more years of service, is

1 entitled to elect such annuity, but the annuity shall be
2 reduced 0.25% for each full month or fractional part thereof
3 that his attained age when the annuity is to begin is less
4 than age 60, to the end that the total reduction at age 55
5 shall be 15%, except that an employee retiring at age 55 or
6 over but less than age 60, having at least 30 years of
7 service, shall not be subject to the reduction in retirement
8 annuity because of retirement below age 60. This annuity
9 benefit formula shall only apply to those employees who are
10 age 55 or over prior to January 1, 1993, and who elect to
11 withdraw at age 55 or over on or after January 1, 1992 but
12 before January 1, 1993.

13 An employee who withdraws on or after July 1, 1996 but
14 before August 1, 1996, at age 55 or over with 8 or more years
15 of service, may elect, in lieu of any other employee annuity
16 provided in this Section, to receive an annuity for life
17 equal to 2.20% for each of the first 20 years of service, and
18 2.40% for each year of service in excess of 20, based on the
19 highest average annual salary for any 4 consecutive years
20 within the last 10 years of service immediately preceding the
21 date of withdrawal, but the annuity shall be reduced by 0.25%
22 for each full month or fractional part thereof that the
23 annuitant's attained age when the annuity is to begin is less
24 than age 60, unless the annuitant has at least 30 years of
25 service.

26 The maximum annuity under this paragraph (a) shall not
27 exceed 70% of highest average annual salary for any 5
28 consecutive years within the last 10 years of service in the
29 case of an employee who withdraws prior to July 1, 1971, and
30 75% of the highest average annual salary for any 4
31 consecutive years within the last 10 years of service
32 immediately preceding the date of withdrawal if withdrawal
33 takes place on or after July 1, 1971 and prior to January 1,
34 1988, and 80% of the highest average annual salary for any 4

1 consecutive years within the last 10 years of service
2 immediately preceding the date of withdrawal if withdrawal
3 takes place on or after January 1, 1988. Fifteen hundred
4 dollars shall be considered the minimum amount of annual
5 salary for any year, and the maximum shall be his salary as
6 defined in this Article, except that for the years before
7 1957 and subsequent to 1952 the maximum annual salary to be
8 considered shall be \$6,000, and for any year before the year
9 1953, \$4,800.

10 (b) Any employee who withdraws on or after July 1, 1985
11 but prior to January 1, 1988, at age 60 or over with 10 or
12 more years of service, may elect in lieu of the benefit in
13 paragraph (a) to receive an annuity for life equal to 2.00%
14 for each year of service, based on the highest average annual
15 salary for any 4 consecutive years within the last 10 years
16 of service immediately preceding the date of withdrawal. An
17 employee who withdraws on or after July 1, 1985, but prior to
18 January 1, 1988, with 10 or more years of service, but before
19 age 60, is entitled to elect such annuity, to begin not
20 earlier than age 55, but the annuity shall be reduced 0.5%
21 for each full month or fractional part thereof that his
22 attained age when the annuity is to begin is less than 60, to
23 the end that the total reduction at age 55 shall be 30%;
24 except that an employee retiring at age 55 or over but less
25 than age 60, having at least 30 years of service, shall not
26 be subject to the reduction in retirement annuity because of
27 retirement below age 60.

28 An employee who withdraws on or after January 1, 1988, at
29 age 60 or over with 10 or more years of service, may elect,
30 in lieu of the benefit in paragraph (a), to receive an
31 annuity for life equal to 2.20% for each of the first 20
32 years of service, and 2.4% for each year of service in excess
33 of 20, based on the highest average annual salary for any 4
34 consecutive years within the last 10 years of service

1 immediately preceding the date of withdrawal. An employee who
2 withdraws on or after January 1, 1988, with 10 or more years
3 of service, but before age 60, is entitled to elect such
4 annuity, to begin not earlier than age 50, but the annuity
5 shall be reduced 0.5% for each full month or fractional part
6 thereof that his attained age when the annuity is to begin is
7 less than 60, to the end that the total reduction at age 50
8 shall be 60%, except that an employee retiring at age 50 or
9 over but less than age 60, having at least 30 years of
10 service, shall not be subject to the reduction in retirement
11 annuity because of retirement below age 60.

12 An employee who withdraws on or after June 30, 2001 with
13 10 or more years of service may elect, in lieu of any other
14 retirement annuity provided under this Article, to receive an
15 annuity for life, beginning no earlier than upon attainment
16 of age 50, equal to 2.40% of his or her highest average
17 annual salary for any 4 consecutive years within the last 10
18 years of service immediately preceding withdrawal, for each
19 year of service. If the employee has less than 30 years of
20 service, the annuity shall be reduced by 0.5% for each full
21 month or remaining fraction thereof that the employee's
22 attained age when the annuity is to begin is less than 60.

23 The maximum annuity under this paragraph (b) shall not
24 exceed 75% of the highest average annual salary for any 4
25 consecutive years within the last 10 years of service
26 immediately preceding the date of withdrawal if withdrawal
27 occurs prior to January 1, 1988, or 80% of the highest
28 average annual salary for any 4 consecutive years within the
29 last 10 years of service immediately preceding the date of
30 withdrawal if withdrawal takes place on or after January 1,
31 1988.

32 The provisions of this paragraph (b) do not apply to any
33 former County employee receiving an annuity from the fund,
34 who re-enters service as a County employee, unless he renders

1 at least 3 years of additional service after the date of
2 re-entry.

3 (c) For an employee receiving disability benefit, the
4 salary for annuity purposes under paragraph (a) or (b) of
5 this Section shall, for all periods of disability benefit
6 subsequent to the year 1956, be the amount on which his
7 disability benefit was based.

8 (d) A county employee with 20 or more years of service,
9 whose entire disability benefit credit period expires before
10 attainment of age 50 (age 55 if expiration occurs before
11 January 1, 1988), while still disabled for service is
12 entitled upon withdrawal to the larger of:

13 (1) The minimum annuity provided above, assuming
14 that he is then age 50 (age 55 if expiration occurs
15 before January 1, 1988), and reducing such annuity to its
16 actuarial equivalent at his attained age on such date, or

17 (2) the annuity provided from his age and service
18 and prior service annuity credits.

19 (e) The minimum annuity provisions above do not apply to
20 any former county employee receiving an annuity from the
21 fund, who re-enters service as a county employee, unless he
22 renders at least 3 years of additional service after the date
23 of re-entry.

24 (f) Any employee in service on July 1, 1947, or who
25 enters service thereafter before attaining age 65 and
26 withdraws after age 65 with less than 10 years of service for
27 whom the annuity has been fixed under the foregoing Sections
28 of this Article, shall, instead of the annuity so fixed,
29 receive an annuity as follows:

30 Such amount as he could have received had the accumulated
31 amounts for annuity been improved with interest at the
32 effective rate to the date of withdrawal, or to attainment of
33 age 70, whichever is earlier, and had the county contributed
34 to such earlier date for age and service annuity the amount

1 that it would have contributed had he been under age 65,
2 after the date his annuity was fixed in accordance with this
3 Article, and assuming his annuity were computed from such
4 accumulations as of his age on such earlier date. However
5 those employees who before July 1, 1953, made additional
6 contributions in accordance with this Article, the annuity so
7 computed under this paragraph shall not exceed the annuity
8 which would be payable under the other provisions of this
9 Section if the employee concerned was credited with 20 years
10 of service and would qualify for annuity thereunder.

11 (g) Instead of the annuity provided in this or any other
12 Section of this Article, an employee having attained age 65
13 with at least 15 years of service may elect to receive a
14 minimum annual annuity for life equal to 1% of the highest
15 average annual salary for any 4 consecutive years within the
16 last 10 years of service immediately preceding retirement for
17 each year of service, plus the sum of \$25 for each year of
18 service provided that no such minimum annual annuity may be
19 greater than 60% of such highest average annual salary.

20 (h) The annuity is payable in equal monthly
21 installments.

22 (i) If, by operation of law, a function of a
23 governmental unit, as defined by Section 20-107 of this Code,
24 is transferred in whole or in part to the county in which
25 this Article 9 is created as set forth in Section 9-101, and
26 employees of the governmental unit are transferred as a class
27 to such county, the earnings credits in the retirement system
28 covering the governmental unit which have been validated
29 under Section 20-109 of this Code shall be considered in
30 determining the highest average annual salary for purposes of
31 this Section 9-134.

32 (j) The annuity being paid to an employee annuitant on
33 July 1, 1988, shall be increased on that date by 1% for each
34 full year that has elapsed from the date the annuity began.

1 (k) Notwithstanding anything to the contrary in this
 2 Article 9, Section 20-131 shall not apply to an employee who
 3 withdraws on or after January 1, 1988, but prior to attaining
 4 age 55. Therefore, no employee shall be entitled to elect to
 5 have the alternative formula previously set forth in Section
 6 20-122 prior to the amendatory Act of 1975 apply to any
 7 annuity, the payment of which commenced after January 1,
 8 1988, but prior to such employee's attainment of age 55.
 9 (Source: P.A. 86-272; 87-794.)

10 (40 ILCS 5/9-134.3)

11 Sec. 9-134.3. Early retirement incentives.

12 (a) To be eligible for the benefits provided in this
 13 Section, a person must:

14 (1) be a current contributing member of the Fund
 15 established under this Article who, on May 1, 1997 and
 16 within 30 days prior to the date of retirement, is (i) in
 17 active payroll status in a position of employment under
 18 this Article or (ii) receiving disability benefits under
 19 Section 9-156 or 9-157; or else be eligible under
 20 subsection (g);

21 (2) have not previously retired from the Fund,
 22 except as provided under subsection (g);

23 (3) file with the Board before October 1, 1997 (or
 24 the date specified in subsection (g), if applicable); a
 25 written application requesting the benefits provided in
 26 this Section;

27 (4) elect to retire under this Section on or after
 28 September 1, 1997 and on or before February 28, 1998 (or
 29 the date established under subsection (d) or (g), if
 30 applicable);

31 (5) have attained age 55 on or before the date of
 32 retirement and before February 28, 1998; and

33 (6) have at least 10 years of creditable service in

1 the Fund, excluding service in any of the other
2 participating systems under the Retirement Systems
3 Reciprocal Act, by the effective date of the retirement
4 annuity or February 28, 1998, whichever occurs first.

5 (b) An employee who qualifies for the benefits provided
6 under this Section shall be entitled to the following:

7 (1) The employee's retirement annuity, as
8 calculated under the other provisions of this Article,
9 shall be increased at the time of retirement by an amount
10 equal to 1% of the employee's average annual salary for
11 the highest 4 consecutive years within the last 10 years
12 of service, multiplied by the employee's number of years
13 of service credit in this Fund up to a maximum of 10
14 years; except that the total retirement annuity,
15 including any additional benefits elected under Section
16 9-121.6 or 9-179.3, shall not exceed 80% of that highest
17 average annual salary.

18 (2) If the employee's retirement annuity is
19 calculated under Section 9-134, the employee shall not be
20 subject to the reduction in retirement annuity because of
21 retirement below age 60 that is otherwise required under
22 that Section.

23 (c) A person who elects to retire under the provisions
24 of this Section thereby relinquishes his or her right, if
25 any, to have the retirement annuity calculated under the
26 alternative formula formerly set forth in Section 20-122 of
27 the Retirement Systems Reciprocal Act.

28 (d) In the case of an employee whose immediate
29 retirement could jeopardize public safety or create hardship
30 for the employer, the deadline for retirement provided in
31 subdivision (a)(4) of this Section may be extended to a
32 specified date, no later than August 31, 1998, by the
33 employee's department head, with the approval of the
34 President of the County Board. In the case of an employee

1 who is not employed by a department of the County, the
2 employee's "department head", for the purposes of this
3 Section, shall be a person designated by the President of the
4 County Board.

5 (e) Notwithstanding Section 9-161, an annuitant who
6 reenters service under this Article after receiving a
7 retirement annuity based on benefits provided under this
8 Section thereby forfeits the right to continue to receive
9 those benefits and shall have his or her retirement annuity
10 recalculated without the benefits provided in this Section.

11 (f) This Section also applies to the Fund established
12 under Article 10 of this Code.

13 (g) A person who (1) was a participating employee on
14 November 30, 1996, (2) was laid off on or after December 1,
15 1996 and before May 1, 1997 due to the elimination of the
16 employee's job or position, (3) meets the requirements of
17 items (3) through (6) of subsection (a), and (4) has not been
18 reinstated as a Cook County employee since being laid off is
19 eligible for the benefits provided under this Section. For
20 such a person, the application required under subdivision
21 (a)(3) of this Section must be filed within 60 days after the
22 effective date of this amendatory Act of the 92nd General
23 Assembly, and the date of retirement must be within 60 days
24 after the effective date of this amendatory Act.

25 In the case of a person eligible under this subsection
26 (g) who began to receive a retirement annuity before the
27 effective date of this amendatory Act, the annuity shall be
28 recalculated to include the increase under this Section, and
29 that increase shall take effect on the first annuity payment
30 date following the date of application.

31 (Source: P.A. 90-32, eff. 6-27-97.)

32 (40 ILCS 5/9-134.4 new)

33 Sec. 9-134.4. Early retirement incentives.

1 (a) To be eligible for the benefits provided in this
2 Section, a person must:

3 (1) be a current contributing member of the Fund
4 established under this Article who, on January 1, 2001
5 and within 30 days prior to the date of retirement, is
6 (i) in active payroll status in a position of employment
7 under this Article or (ii) receiving disability benefits
8 under Section 9-156 or 9-157;

9 (2) have not previously retired from the Fund;

10 (3) file with the Board before June 1, 2002 a
11 written application requesting the benefits provided in
12 this Section;

13 (4) elect to retire under this Section on or after
14 June 1, 2002 and on or before November 30, 2002 (or the
15 date established under subsection (d), if applicable);

16 (5) have attained age 50 on or before the date of
17 retirement and before November 30, 2002; and

18 (6) have at least 20 years of creditable service in
19 the Fund, excluding service in any of the other
20 participating systems under the Retirement Systems
21 Reciprocal Act, by the effective date of the retirement
22 annuity or November 30, 2002, whichever occurs first.

23 (b) An employee who qualifies for the benefits provided
24 under this Section shall be entitled to the following:

25 (1) The employee's retirement annuity, as
26 calculated under the other provisions of this Article,
27 shall be increased at the time of retirement by an amount
28 equal to 1% of the employee's average annual salary for
29 the highest 4 consecutive years within the last 10 years
30 of service, multiplied by the employee's number of years
31 of service credit in this Fund up to a maximum of 10
32 years; except that the total retirement annuity,
33 including any additional benefits elected under Section
34 9-121.6 or 9-179.3, shall not exceed 80% of that highest

1 average annual salary.

2 (2) If the employee's retirement annuity is
3 calculated under Section 9-134, the employee shall not be
4 subject to the reduction in retirement annuity because of
5 retirement below age 60 that is otherwise required under
6 that Section.

7 (c) A person who elects to retire under the provisions
8 of this Section thereby relinquishes his or her right, if
9 any, to have the retirement annuity calculated under the
10 alternative formula formerly set forth in Section 20-122 of
11 the Retirement Systems Reciprocal Act.

12 (d) In the case of an employee whose immediate
13 retirement could jeopardize public safety or create hardship
14 for the employer, the deadline for retirement provided in
15 subdivision (a)(4) of this Section may be extended to a
16 specified date, no later than May 31, 2003, by the employee's
17 department head, with the approval of the President of the
18 County Board. In the case of an employee who is not employed
19 by a department of the County, the employee's "department
20 head", for the purposes of this Section, shall be a person
21 designated by the President of the County Board.

22 (e) Notwithstanding Section 9-161, an annuitant who
23 reenters service under this Article after receiving a
24 retirement annuity based on benefits provided under this
25 Section thereby forfeits the right to continue to receive
26 those benefits and shall have his or her retirement annuity
27 recalculated without the benefits provided in this Section.

28 (f) This Section also applies to the Fund established
29 under Article 10 of this Code.

30 (40 ILCS 5/9-146.1) (from Ch. 108 1/2, par. 9-146.1)
31 Sec. 9-146.1. Minimum annuities for widows. The widow of
32 an employee who retires from service or dies while in the
33 service subsequent to June 11, 1965, who is otherwise

1 eligible for widow's annuity under this Article and for whom
2 the amount of widow's annuity and widow's prior service
3 annuity combined, fixed or provided for such widow under
4 other provisions of this Article 9 is less than the amount
5 hereinafter provided in this Section, shall, from and after
6 the date her otherwise provided annuity would begin, in lieu
7 of such otherwise provided widow's and widow's prior service
8 annuity, be entitled to the following indicated amount of
9 annuity:

10 (a) The widow⁷ of any employee who dies while in the
11 service on or after the date on which he attains the age of
12 60 or more years with at least 20 years of service, or 10 or
13 more years of service if death occurs on or after attainment
14 of age 65 and on or after January 1, 1982, shall be entitled
15 to an annuity equal to one-half of the amount of annuity
16 which her deceased husband would have been entitled to
17 receive had he withdrawn from the service on the day
18 immediately preceding the date of his death, conditional upon
19 such widow having attained the age of 60 or more years on
20 such date. Such amount of widow's annuity shall not, however,
21 exceed the sum of \$500 a month if death in service occurs
22 before July 1, 1985.

23 If such widow of such described employee shall not be 60
24 or more years of age on such date of death, the amount
25 provided in the immediately preceding paragraph for a widow
26 60 or more years of age, shall, in the case of such younger
27 widow, be reduced by 1/2 of 1 per cent for each month that
28 her then attained age is less than 60 years; except that such
29 younger widow of an employee who dies while in service on or
30 after July 1, 1985 with at least 30 years of service, shall
31 not be subject to the reduction in widow's annuity because of
32 her age less than 60 on the date of the employee's death.

33 (b) The widow, of any employee who dies subsequent to
34 the date of his retirement on annuity, and who so retired on

1 or after the date on which he attained the age of 60 or more
2 years with at least 20 years of service, or 10 or more years
3 of service if retirement occurs on or after attainment of age
4 65 and on or after January 1, 1982, shall be entitled to an
5 annuity equal to one-half of the amount of annuity which her
6 deceased husband received as of the date of his retirement on
7 annuity, conditional upon such widow having attained the age
8 of 60 or more years on the date of her husband's retirement
9 on annuity. Such amount of widow's annuity shall not,
10 however, exceed the sum of \$500 a month if the death occurs
11 before the effective date of this amendatory Act of 1991.

12 If such widow of such described employee shall not have
13 attained such age of 60 or more years on such date of her
14 husband's retirement on annuity, the amount provided in the
15 immediately preceding paragraph for a widow 60 or more years
16 of age on the date of her husband's retirement on annuity,
17 shall, in the case of such then younger widow, be reduced by
18 1/2 of 1 per cent for each month that her then attained age
19 was less than 60 years; except that such younger widow of an
20 employee retiring on or after July 1, 1985 with at least 30
21 years of service, shall not be subject to the reduction in
22 widow's annuity because of her age less than 60 on the date
23 of the employee's retirement.

24 (c) The foregoing provisions relating to minimum
25 annuities for widows shall not apply to the widow of any
26 former county employee receiving an annuity from the Fund on
27 June 11, 1965, who re-enters service as a county employee,
28 unless such employee renders at least 3 years of additional
29 service after the date of re-entry.

30 (d) An annuity being paid to a surviving spouse on
31 January 1, 1984 shall be increased by 10% and shall
32 thereafter be paid at the increased rate until the
33 termination of the annuity by death or other cause. The
34 annuity for a qualifying widow shall not exceed \$500 per

1 month.

2 (e) The widow of any employee who dies while in service
3 on or after July 1, 1985 but prior to January 1, 1988, and
4 the widow of an employee who retires on or after July 1, 1985
5 but prior to January 1, 1988 with at least 10 years of
6 service, and the widow of an employee who retires on or after
7 January 1, 1984 but prior to July 1, 1985 with at least 30
8 years of service, shall be entitled to an annuity equal to
9 one-half of the amount of annuity which her deceased husband
10 would have received had he retired immediately prior to his
11 death or one-half the amount of the originally granted
12 retirement annuity, whichever is applicable. Such widow's
13 annuity will be reduced 0.5% for each month that the widow's
14 attained age is less than age 60 on the date of the
15 employee's death in service or retirement if the employee's
16 death in service or retirement is before January 1, 1988;
17 except that such younger widow of an employee with at least
18 30 years of service shall not be subject to the reduction in
19 widow's annuity because of her age less than 60 on the date
20 of the employee's death in service or retirement.

21 The widow of an employee who dies in service on or after
22 January 1, 1988, or retires on or after January 1, 1988 with
23 at least 10 years of service, shall be entitled to an annuity
24 equal to 1/2 of the amount of annuity which her deceased
25 husband would have received had he retired immediately prior
26 to his death or 1/2 of the amount of the annuity which her
27 deceased husband received as of the date of his death,
28 whichever is applicable. Such widow's annuity shall be
29 reduced 0.5% for each month that the widow's attained age is
30 less than age 60 on the date of the employee's death if
31 employee's death in service or retirement is after January 1,
32 1988; except that such younger widow of an employee with at
33 least 30 years of service shall not be subject to the
34 reduction in widow's annuity because of her age on the date

1 of the employee's death.

2 In lieu of any other annuity provided by this Article,
3 the widow of an employee who dies in service on or after
4 January 1, 1992, or retires on or after January 1, 1992 with
5 at least 10 years of service, shall be entitled to an annuity
6 equal to 1/2 of the amount of annuity which her deceased
7 husband would have received had he retired immediately prior
8 to his death or 1/2 of the amount of the annuity which her
9 deceased husband received as of the date of his death,
10 whichever is applicable. Such widow's annuity shall be
11 reduced 0.5% for each month that the widow's attained age is
12 less than age 55 on the date of the employee's death; except
13 that such younger widow of an employee with at least 30 years
14 of service shall not be subject to the reduction in widow's
15 annuity because of her age on the date of the employee's
16 death.

17 In lieu of any other annuity provided by this Article,
18 the widow of an employee who dies in service or withdraws
19 from service on or after January 1, 1992 but before January
20 1, 1993 at age 55 or over with at least 5 but less than 10
21 years of service, shall be entitled to an annuity equal to
22 half of the amount of annuity which her deceased husband
23 would have received had he retired immediately prior to his
24 death or half of the amount of the annuity which her deceased
25 husband received as of the date of his death, whichever is
26 applicable. This widow's annuity shall be reduced 0.5% for
27 each month that the widow's attained age is less than 60 on
28 the date of the employee's death.

29 However, in the case of an employee dying in service, the
30 amount of widow's annuity shall not be less than 10% of the
31 highest average annual salary for any 4 consecutive years
32 within the last 10 years of service immediately preceding the
33 date of withdrawal. The maximum amount of annuity under this
34 paragraph shall not be limited to a dollar maximum. The

1 provisions of this paragraph shall not apply to the widow of
2 any former County employee receiving an annuity from the fund
3 who re-enters service as a County employee, unless such
4 employee renders at least 3 years of additional service after
5 the date of re-entry.

6 (f) An annuity being paid to a surviving spouse on July
7 1, 1988, shall be increased on that date by 1% for each full
8 year that has elapsed from the date the annuity began.

9 (g) In lieu of any other annuity provided under this
10 Article, if the deceased employee was receiving a retirement
11 annuity at the time of his death and that death occurs on or
12 after January 1, 1993, the widow's annuity shall be 50% of
13 the deceased employee's retirement annuity at the time of
14 death, reduced by 0.5% for each month that the widow's age on
15 the date of death is less than 55, except that the reduction
16 does not apply if the deceased employee had at least 30 years
17 of service.

18 (h) In lieu of any other annuity provided under this
19 Article, the widow of an employee who dies in service on or
20 after January 1, 2002 or has at least 10 years of service and
21 dies on or after January 1, 2002 while receiving an annuity
22 shall be entitled to a widow's annuity equal to 65% of the
23 amount of annuity which her deceased husband would have
24 received had he retired immediately prior to his death or 65%
25 of the amount of the annuity which her deceased husband
26 received as of the date of his death, whichever is
27 applicable. This widow's annuity shall be reduced by 0.5%
28 for each month that the widow's age on the date of the
29 employee's death is less than 55, unless the deceased husband
30 had at least 30 years of service.

31 (Source: P.A. 86-273; 87-794; 87-1265.)

32 (40 ILCS 5/9-163) (from Ch. 108 1/2, par. 9-163)

33 Sec. 9-163. Restoration of rights. An employee who has

1 withdrawn as a refund the amounts credited for annuity
2 purposes, and who re-enters service and serves for periods
3 comprising at least 2 years after the date of the last refund
4 paid to him, may have his annuity rights restored by making
5 application to the board in writing for the privilege of
6 reinstating such rights and by compliance with the following
7 provisions:

8 (a) The employee shall repay in full to the fund
9 while in service all refunds received, together with
10 interest at the effective rate from the application date
11 of such refund or refunds to the date of repayment.

12 (b) If payment is not made in a single sum, the
13 repayment may be made in installments by deductions from
14 salary or otherwise in such amounts as the employee may
15 elect to pay, with interest at the effective rate
16 accruing on unpaid balances.

17 (c) If the employee withdraws from service or dies
18 in service before full repayment is made, or during the
19 required return to service, the amounts repaid, including
20 interest repaid but without further interest, shall be
21 refunded in accordance with the refund provisions of this
22 Article.

23 For an employee who applies to the Fund to reinstate
24 credit and repay a refund between January 1, 1993 and March
25 1, 1993, the 2 year minimum period of subsequent service
26 required under item (a) shall be instead a period of 6
27 months.

28 A person who establishes service credit under Section
29 9-121.16 may, at the same time, reinstate credit in this Fund
30 and repay a refund without a return to service,
31 notwithstanding the other provisions of this Section.

32 (Source: P.A. 87-1265.)

33 (40 ILCS 5/9-179.3) (from Ch. 108 1/2, par. 9-179.3)

1 Sec. 9-179.3. Optional plan of additional benefits and
2 contributions.

3 (a) While this plan is in effect, an employee may
4 establish additional optional credit for additional optional
5 benefits by electing in writing at any time to make
6 additional optional contributions. The employee may
7 discontinue making the additional optional contributions at
8 any time by notifying the fund in writing.

9 (b) Additional optional contributions for the additional
10 optional benefits shall be as follows:

11 (1) For service after the option is elected, an
12 additional contribution of 3% of salary shall be
13 contributed to the fund on the same basis and under the
14 same conditions as contributions required under Sections
15 9-170 and 9-176.

16 (2) For service before the option is elected, an
17 additional contribution of 3% of the salary for the
18 applicable period of service, plus interest at the
19 effective rate from the date of service to the date of
20 payment. All payments for past service must be paid in
21 full before credit is given. No additional optional
22 contributions may be made for any period of service for
23 which credit has been previously forfeited by acceptance
24 of a refund, unless the refund is repaid in full with
25 interest at the effective rate from the date of refund to
26 the date of repayment.

27 (c) Additional optional benefits shall accrue for all
28 periods of eligible service for which additional
29 contributions are paid in full. The additional benefit shall
30 consist of an additional 1% for each year of service for
31 which optional contributions have been paid, based on the
32 highest average annual salary for any 4 consecutive years
33 within the last 10 years of service immediately preceding the
34 date of withdrawal, to be added to the employee retirement

1 annuity benefits as otherwise computed under this Article.
2 The calculation of these additional benefits shall be subject
3 to the same terms and conditions as are used in the
4 calculation of retirement annuity under Section 9-134. The
5 additional benefit shall be included in the calculation of
6 the automatic annual increase in annuity, and in the
7 calculation of widow's annuity, where applicable. However no
8 additional benefits will be granted which produce a total
9 annuity greater than the applicable maximum established for
10 that type of annuity in this Article, and additional benefits
11 shall not apply to any benefit computed under Section
12 9-128.1.

13 (d) Refunds of additional optional contributions shall
14 be made on the same basis and under the same conditions as
15 provided under Sections 9-164, 9-166 and 9-167. Interest
16 shall be credited at the effective rate on the same basis and
17 under the same conditions as for other contributions.

18 (e) Optional contributions shall be accounted for in a
19 separate Optional Contribution Reserve.

20 (f) The tax levy, computed under Section 9-169, shall be
21 based on employee contributions including the amount of
22 optional additional employee contributions.

23 (g) Service eligible under this Section may include only
24 service as an employee of the County as defined in Section
25 9-108, and subject to Sections 9-219 and 9-220. No service
26 granted under Section 9-121.1, 9-121.4 or 9-179.2 shall be
27 eligible for optional service credit. No optional service
28 credit may be established for any military service, or for
29 any service under any other Article of this Code. Optional
30 service credit may be established for any period of
31 disability paid from this fund, if the employee makes
32 additional optional contributions for such periods of
33 disability.

34 (h) This plan of optional benefits and contributions

1 shall not apply to any former county employee receiving an
2 annuity from the fund, who re-enters service as a County
3 employee, unless he renders at least 3 years of additional
4 service after the date of re-entry.

5 (i) The effective date of the optional plan of
6 additional benefits and contributions shall be July 1, 1985,
7 or the date upon which approval is received from the Internal
8 Revenue Service, whichever is later.

9 (j) This plan of additional benefits and contributions
10 shall expire July 1, 2005 ~~2002~~. No additional contributions
11 may be made after that date, and no additional benefits will
12 accrue after that date.

13 (Source: P.A. 90-32, eff. 6-27-97; 90-460, eff. 8-17-97.)

14 (40 ILCS 5/9-185) (from Ch. 108 1/2, par. 9-185)
15 Sec. 9-185. Board created.

16 (a) A board of 9 ~~7~~ members shall constitute the board of
17 trustees authorized to carry out the provisions of this
18 Article. The board of trustees shall be known as "The
19 Retirement Board of the County Employees' Annuity and Benefit
20 Fund of County". The board shall consist of 2 members
21 appointed and 7 ~~5~~ members elected as hereinafter prescribed.

22 (b) The appointed members shall be appointed as follows:
23 One member shall be appointed by the comptroller of such
24 county, who may be the comptroller or some person chosen by
25 him from among employees of the county, who are versed in the
26 affairs of the comptroller's office; and one member shall be
27 appointed by the treasurer of such county, who may be the
28 treasurer or some person chosen by him from among employees
29 of the County who are versed in the affairs of the
30 treasurer's office.

31 The member appointed by the comptroller shall hold office
32 for a term ending on December 1st of the first year following
33 the year of appointment. The member appointed by the county

1 treasurer shall hold office for a term ending on December 1st
2 of the second year following the year of appointment.

3 Thereafter, each appointed member shall be appointed by
4 the officer that appointed his predecessor for a term of 2
5 years.

6 (c) Three county employee members of the board shall be
7 elected as follows: within 30 days from and after the date
8 upon which this Article comes into effect in the county, the
9 clerk of the county shall arrange for and hold an election.
10 One employee shall be elected for a term ending on the first
11 day in the month of December of the first year next following
12 the effective date; one for a term ending on December 1st of
13 the following year; and one for a term ending December 1st of
14 the second following year.

15 (d) Beginning December 1, 1988, and every 3 years
16 thereafter, an annuitant member of the board shall be elected
17 as follows: the board shall arrange for and hold an election
18 in which only those participants who are currently receiving
19 retirement or disability benefits under this Article shall be
20 eligible to vote and be elected. Each such member shall be
21 elected to a term ending on the first day in the month of
22 December of the third following year.

23 (d-1) Beginning December 1, 2001, and every 3 years
24 thereafter, an annuitant member of the board shall be elected
25 as follows: the board shall arrange for and hold an election
26 in which only those participants who are currently receiving
27 retirement benefits under this Article shall be eligible to
28 vote and be elected. Each such member shall be elected to a
29 term ending on the first day in the month of December of the
30 third following year. Until December 1, 2001, the position
31 created under this subsection (d-1) may be filled by the
32 board as in the case of a vacancy.

33 (e) Beginning December 1, 1988, if a Forest Preserve
34 District Employees' Annuity and Benefit Fund shall be in

1 force in such county and the board of this fund is charged
2 with administering the affairs of such annuity and benefit
3 fund for employees of such forest preserve district, a forest
4 preserve district member of the board shall be elected as of
5 December 1, 1988, and every 3 years thereafter as follows:
6 the board shall arrange for and hold an election in which
7 only those employees of such forest preserve district who are
8 contributors to the annuity and benefit fund for employees of
9 such forest preserve district shall be eligible to vote and
10 be elected. Each such member shall be elected to a term
11 ending on the first day in the month of December of the third
12 following year.

13 (f) Beginning December 1, 2001, and every 3 years
14 thereafter, if a Forest Preserve District Employees' Annuity
15 and Benefit Fund is in force in the county and the board of
16 this Fund is charged with administering the affairs of that
17 annuity and benefit fund for employees of the forest preserve
18 district, a forest preserve district annuitant member of the
19 board shall be elected as follows: the board shall arrange
20 for and hold an election in which only those participants who
21 are currently receiving retirement benefits under Article 10
22 shall be eligible to vote and be elected. Each such member
23 shall be elected to a term ending on the first day in the
24 month of December of the third following year. Until
25 December 1, 2001, the position created under this subsection
26 (f) may be filled by the board as in the case of a vacancy.

27 (Source: P.A. 85-964; 86-1488.)

28 (40 ILCS 5/9-186) (from Ch. 108 1/2, par. 9-186)
29 Sec. 9-186. Board elections. In each year, the board
30 shall conduct a regular election, under rules adopted by it,
31 at least 30 days prior to the expiration of the term of each
32 elected employee or annuitant member.

33 To be eligible to be a county employee member, a person

1 must be an employee of the county and must have at least 5
 2 years of service credit in that capacity by December 1 of the
 3 year of election. To be eligible to be a forest preserve
 4 district member, a person must be an employee of the forest
 5 preserve district and must have at least 5 years of service
 6 credit in that capacity by December 1 of the year of
 7 election.

8 Only those persons who are employees of the county shall
 9 be eligible to vote for the 3 county employee members, only
 10 those persons who are employees of the forest preserve
 11 district shall be eligible to vote for the forest preserve
 12 district member, and only those persons who are currently
 13 receiving retirement or disability benefits under this
 14 Article shall be eligible to vote for the annuitant members
 15 elected under subsections (d) and (d-1) of Section 9-185, and
 16 only those persons who are currently receiving retirement
 17 benefits under Article 10 shall be eligible to vote for the
 18 forest preserve district annuitant member elected under
 19 subsection (f) of Section 9-185. The ballot shall be of
 20 secret character.

21 Except as otherwise provided in Section 9-187, each
 22 member of the board shall hold office until his successor is
 23 chosen and has qualified.

24 Any person elected or appointed a member of the board
 25 shall qualify for the office by taking an oath of office to
 26 be administered by the county clerk or a person designated by
 27 him. A copy thereof shall be kept in the office of the
 28 county clerk. Any appointment or notice of election shall be
 29 in writing and the written instrument shall be filed with the
 30 oath.

31 (Source: P.A. 85-964; 86-1488.)

32 (40 ILCS 5/9-187) (from Ch. 108 1/2, par. 9-187)

33 Sec. 9-187. Board vacancy.

1 (a) A vacancy in the membership of the board shall be
2 filled as follows:

3 If the vacancy is that of an appointive member, the
4 official who appointed him shall appoint a person to serve
5 for the unexpired term.

6 If the vacancy is that of a county employee member, the
7 remaining members of the board shall appoint a successor from
8 among the employees of the county, who shall serve during the
9 remainder of the unexpired term.

10 If the vacancy is that of a forest preserve district
11 member, the remaining members of the board shall appoint a
12 successor from among the employees of the forest preserve
13 district, who shall serve during the remainder of the
14 unexpired term.

15 If the vacancy is that of an annuitant member other than
16 a forest preserve district annuitant member, the remaining
17 members of the board shall appoint a successor from among
18 those persons who are currently receiving retirement or
19 disability benefits under this Article.

20 If the vacancy is that of a forest preserve district
21 annuitant member, the remaining members of the board shall
22 appoint a successor from among those persons who are
23 currently receiving retirement benefits under Article 10.

24 (b) Any county or forest preserve district member who
25 withdraws from service shall automatically cease to be a
26 member of the board. Any annuitant member other than a
27 forest preserve district annuitant member whose retirement or
28 disability benefits cease under this Article, and any forest
29 preserve district annuitant member whose retirement benefits
30 cease under Article 10, shall also automatically cease to be
31 a member of the Board.

32 (Source: P.A. 85-964; 86-1488.)

1 Sec. 9-219. Computation of service.

2 (1) In computing the term of service of an employee
3 prior to the effective date, the entire period beginning on
4 the date he was first appointed and ending on the day before
5 the effective date, except any intervening period during
6 which he was separated by withdrawal from service, shall be
7 counted for all purposes of this Article.

8 (2) In computing the term of service of any employee on
9 or after the effective date, the following periods of time
10 shall be counted as periods of service for age and service,
11 widow's and child's annuity purposes:

12 (a) The time during which he performed the duties
13 of his position.

14 (b) Vacations, leaves of absence with whole or part
15 pay, and leaves of absence without pay not longer than 90
16 days.

17 (c) For an employee who is a member of a county
18 police department or a correctional officer with the
19 county department of corrections, approved leaves of
20 absence without pay during which the employee serves as a
21 full-time officer or employee head of an employee
22 association, the membership of which consists of other
23 participants in the Fund police-officers, provided that
24 the employee contributes to the Fund (1) the amount that
25 he would have contributed had he remained an active
26 employee member--of--the--county-police-department in the
27 position he occupied at the time the leave of absence was
28 granted, (2) an amount calculated by the Board
29 representing employer contributions, and (3) regular
30 interest thereon from the date of service to the date of
31 payment. However, if the employee's application to
32 establish credit under this subsection is received by the
33 Fund on or after January 1, 2002 and before July 1, 2002,
34 the amount representing employer contributions specified

1 in item (2) shall be waived.

2 For a former member of a county police department
3 who has received a refund under Section 9-164, periods
4 during which the employee serves as head of an employee
5 association, the membership of which consists of other
6 police officers, provided that the employee contributes
7 to the Fund (1) the amount that he would have contributed
8 had he remained an active member of the county police
9 department in the position he occupied at the time he
10 left service, (2) an amount calculated by the Board
11 representing employer contributions, and (3) regular
12 interest thereon from the date of service to the date of
13 payment. However, if the former member of the county
14 police department retires on or after January 1, 1993 but
15 no later than March 1, 1993, the amount representing
16 employer contributions specified in item (2) shall be
17 waived.

18 (d) Any period of disability for which he received
19 disability benefit or whole or part pay.

20 (e) Accumulated vacation or other time for which an
21 employee who retires on or after November 1, 1990
22 receives a lump sum payment at the time of retirement,
23 provided that contributions were made to the fund at the
24 time such lump sum payment was received. The service
25 granted for the lump sum payment shall not change the
26 employee's date of withdrawal for computing the effective
27 date of the annuity.

28 (f) An employee may receive service credit for
29 annuity purposes for accumulated sick leave as of the
30 date of the employee's withdrawal from service, not to
31 exceed a total of 180 days, provided that the amount of
32 such accumulated sick leave is certified by the County
33 Comptroller to the Board and the employee pays an amount
34 equal to 8.5% (9% for members of the County Police

1 Department who are eligible to receive an annuity under
 2 Section 9-128.1) of the amount that would have been paid
 3 had such accumulated sick leave been paid at the
 4 employee's final rate of salary. Such payment shall be
 5 made within 30 days after the date of withdrawal and
 6 prior to receipt of the first annuity check. The service
 7 credit granted for such accumulated sick leave shall not
 8 change the employee's date of withdrawal for the purpose
 9 of computing the effective date of the annuity.

10 (3) In computing the term of service of an employee on
 11 or after the effective date for ordinary disability benefit
 12 purposes, the following periods of time shall be counted as
 13 periods of service:

14 (a) Unless otherwise specified in Section 9-157,
 15 the time during which he performed the duties of his
 16 position.

17 (b) Paid vacations and leaves of absence with whole
 18 or part pay.

19 (c) Any period for which he received duty
 20 disability benefit.

21 (d) Any period of disability for which he received
 22 whole or part pay.

23 (4) For an employee who on January 1, 1958, was
 24 transferred by Act of the 70th General Assembly from his
 25 position in a department of welfare of any city located in
 26 the county in which this Article is in force and effect to a
 27 similar position in a department of such county, service
 28 shall also be credited for ordinary disability benefit and
 29 child's annuity for such period of department of welfare
 30 service during which period he was a contributor to a
 31 statutory annuity and benefit fund in such city and for which
 32 purposes service credit would otherwise not be credited by
 33 virtue of such involuntary transfer.

34 (5) An employee described in subsection (e) of Section

1 9-108 shall receive credit for child's annuity and ordinary
2 disability benefit for the period of time for which he was
3 credited with service in the fund from which he was
4 involuntarily separated through class or group transfer;
5 provided, that no such credit shall be allowed to the extent
6 that it results in a duplication of credits or benefits, and
7 neither shall such credit be allowed to the extent that it
8 was or may be forfeited by the application for and acceptance
9 of a refund from the fund from which the employee was
10 transferred.

11 (6) Overtime or extra service shall not be included in
12 computing service. Not more than 1 year of service shall be
13 allowed for service rendered during any calendar year.

14 (Source: P.A. 86-1488; 87-794; 87-1265.)

15 (40 ILCS 5/14-105.7)

16 Sec. 14-105.7. Transfer to Article 9 fund.

17 (a) Until July 1, 2002 1998, any active or inactive
18 member of the System who has established creditable service
19 under paragraph (i) of Section 14-104 (relating to
20 contractual service to the General Assembly) and is an active
21 or former contributor to the pension fund established under
22 Article 9 of this Code may apply to the Board for transfer of
23 all of his or her creditable service accumulated under this
24 System to the Article 9 fund. The creditable service shall
25 be transferred forthwith. Payment by this System to the
26 Article 9 fund shall be made at the same time and shall
27 consist of:

28 (1) the amounts accumulated to the credit of the
29 applicant for that service, including regular interest,
30 on the books of the System on the date of transfer; plus

31 (2) employer contributions in an amount equal to
32 the amount determined under item (1).

33 Participation in this System as to the credits transferred

1 under this Section terminates on the date of transfer.

2 (b) Any person transferring credit under this Section
3 may reinstate credits and creditable service terminated upon
4 receipt of a refund, by paying to the System, before July 1,
5 2002 ~~1998~~, the amount of the refund plus regular interest
6 from the date of refund to the date of payment.

7 (c) The changes to this Section and Section 9-121.15
8 made by this amendatory Act of the 92nd General Assembly
9 apply without regard to whether the person is in active
10 service, under this System or the Article 9 Fund, on or after
11 the effective date of this amendatory Act.

12 (Source: P.A. 90-511, eff. 8-22-97.)

13 Section 90. The State Mandates Act is amended by adding
14 Section 8.25 as follows:

15 (30 ILCS 805/8.25 new)

16 Sec. 8.25. Exempt mandate. Notwithstanding Sections 6
17 and 8 of this Act, no reimbursement by the State is required
18 for the implementation of any mandate created by this
19 amendatory Act of the 92nd General Assembly.

20 Section 99. Effective date. This Act takes effect upon
21 becoming law.